

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

9 Christian Louis Wrathall,) No. CV-08-415-PHX-GMS (GEE)
10 Petitioner,) **ORDER**
11 v.)
12 E.W. Morris, Warden; et al.,)
13 Respondents.)
14 _____)
15)

Pending before the Court are Petitioner’s Petition for Writ of Habeas Corpus and United States Magistrate Judge Glenda E. Edmond’s Report and Recommendation (“R&R”). Dkt. ## 1 & 14. The R&R recommends that the Court deny the petition because Petitioner’s consecutive sentences do not violate due process. Dkt. # 14 at 1. The Magistrate Judge advised the parties that they had ten days to file objections to the R&R and that failure to file timely objections could be considered a waiver of the right to obtain review of the R&R. *Id.* at 8 (citing 28 U.S.C. § 636(b); Fed. R. Civ. P. 72(b)(2); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)).

24 The parties did not file objections, which relieves the Court of its obligation to review
25 the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985)
26 (“[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the
27 subject of an objection.”); Fed. R. Civ. P. 72(b)(3) (“The district judge must determine de
28 novo any part of the magistrate judge’s disposition that has been properly objected to.”). The

1 Court has nonetheless reviewed the R&R and finds that it is well-taken. The Court will
2 accept the R&R and deny the Petition. *See* 28 U.S.C. § 636(b)(1) (stating that the district
3 court “may accept, reject, or modify, in whole or in part, the findings or recommendations
4 made by the magistrate”); Fed. R. Civ. P. 72(b)(3) (“The district judge may accept, reject,
5 or modify the recommended disposition; receive further evidence; or return the matter to the
6 magistrate judge with instructions.”).

7 **IT IS ORDERED:**

- 8 1. Magistrate Judge Glenda E. Edmond’s R&R (Dkt. #14) is **ACCEPTED**.
9 2. Petitioner’s Petition for Writ of Habeas Corpus (Dkt. # 1) is **DENIED**.
10 3. The Clerk of the Court shall **TERMINATE** this action.

11 DATED this 12th day of November, 2008.

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13 G. Murray Snow
14 G. Murray Snow
United States District Judge

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